General Assembly

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Sixty-third session
Agenda item 20

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.18 and Add.1)*]

63/19. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development

The General Assembly,

Recalling its relevant resolutions on the situation in Central America, and particularly resolution 58/239 of 23 December 2003,

Recalling also paragraph 16 of the above-mentioned resolution, in which the General Assembly took note with satisfaction of the intention of the Government of Guatemala to establish a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses, and urged the Secretary-General to support that initiative with a view to its prompt implementation,

Apprised by the Secretary-General through his periodic reports[1] of the ensuing protracted negotiations to define the nature and characteristics of the Commission in order to comply with norms and policies of both the United Nations and the Government of Guatemala, those of the latter including the need for parliamentary ratification,

Bearing in mind that the Agreement between the United Nations and the State of Guatemala on the establishment of an International Commission against Impunity in Guatemala was, in fact, signed on 12 December 2006,[2] and that it was ratified by the Guatemalan Congress on 1 August 2007 and entered into force on 4 September 2007,

Aware that the Secretary-General, in accordance with the provisions contained in the Agreement on the establishment of the Commission, had proceeded to appoint the Commissioner in September 2007, and that, after an organizational period of three months, the Commission began implementing its mandate in accordance with Guatemalan law and the provisions of its founding Agreement, to support, strengthen and assist institutions of the State of Guatemala responsible for investigating and prosecuting crimes that compromise fundamental human rights of its citizens and the rule of law,

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[1] See A/60/218, para. 32; *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49; and ibid., *Sixty-third Session, Supplement No. 1* (A/63/1), para. 37.

[2] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49.

Bearing in mind that the Commission has carried out its activities through voluntary contributions of Member States and other donors from the international community and that the Government of Guatemala has provided additional budgetary allotments to State institutions to support their work in collaboration with the Commission,

Convinced that, pursuant to Articles 55 and 56 of its Charter, the United Nations promotes respect for human rights and fundamental freedoms for all and that Member States pledge themselves to take action in cooperation with the Organization for the achievement of that purpose,

1. *Takes note* of the letter dated 27 October 2008 from the Secretary-General to the President of the General Assembly on the establishment, current state and activities of the International Commission against Impunity in Guatemala and the role that the United Nations has played in its implementation;[3]

2. *Commends* the Government of Guatemala for its commitment to combat impunity and strive to strengthen the institutions that buttress the rule of law and the defence of human rights;

3. *Expresses its appreciation* to those Member States and other donors that have supported the International Commission against Impunity in Guatemala, through voluntary contributions, financial and in kind, and urges them to continue their support;

4. *Also expresses its appreciation* to the Secretary-General for providing effective and efficient assistance to the Commission, and calls upon him to continue to do so in order that the Commission may successfully carry out its mandate and address the challenges that it faces;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the work of the Commission.

43rd plenary meeting
10 November 2008

[3] A/63/511.